

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ALBERT T. BEANE, JR., individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

THE BANK OF NEW YORK MELLON,
BNY BROKERAGE CONVERGEX
EXECUTION SOLUTIONS LLC, and
CALLAN ASSOCIATES, INC.,

Defendants.

**DISCLOSURE STATEMENT
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 7.1**

Pursuant to Federal Rule of Civil Procedure 7.1, the undersigned certifies that Defendant The Bank of New York Mellon Corporation (“BNY Mellon”) is publicly traded, has no parent corporation, and that no publicly held corporation owns 10% or more of its stock. Defendant BNY ConvergeEx Execution Solutions LLC is wholly owned by BNY ConvergeEx Group, LLC, which is wholly owned by ConvergeEx Holdings, LLC (“Holdings”). BNY Mellon

owns 33.8% of Holdings. A private firm, GTCR, Golder Rauner, LLC, also owns 33.8% of Holdings. The remainder of Holdings is owned by individuals.

Dated: March 17, 2008
New York, New York

Respectfully submitted,

**MILBANK, TWEED, HADLEY & McCLOY
LLP**

_____/s/ Dorothy Heyl _____
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and BNY ConvergeX Execution Solutions, LLC*